

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.804 OF 2006

Akhil D & NH Kamdar Sangh & anr.
vs.
The Saraswat Co-op.Bank Ltd. & anr.

Petitioners

Respondents

Mr.V.S.Kadam for the petitioners.

Mr.Siddharth Korpe for the respondents 1 to 4.

**CORAM : F.I.REBELLO &
ANOOP V. MOHTA,JJ.**

DATED : 25th August, 2006

P.C.

This is a petition filed by registered labour Union. They claim pari-passu with that of the secured creditor. It is the case of the petitioner that as they have a claim in respect of the amounts in the hands of the Bank, it was open to them, to take such steps in law by filing their claim. At any rate, after the petition by the principal debtors has been dismissed, this will not be a fit case for this Court to exercise its extraordinary jurisdiction. The petitioners can file their claim before the appropriate forum. Hence, petition is rejected.

(F.I. REBELLO, J.)

(ANOOP V. MOHTA,J.)